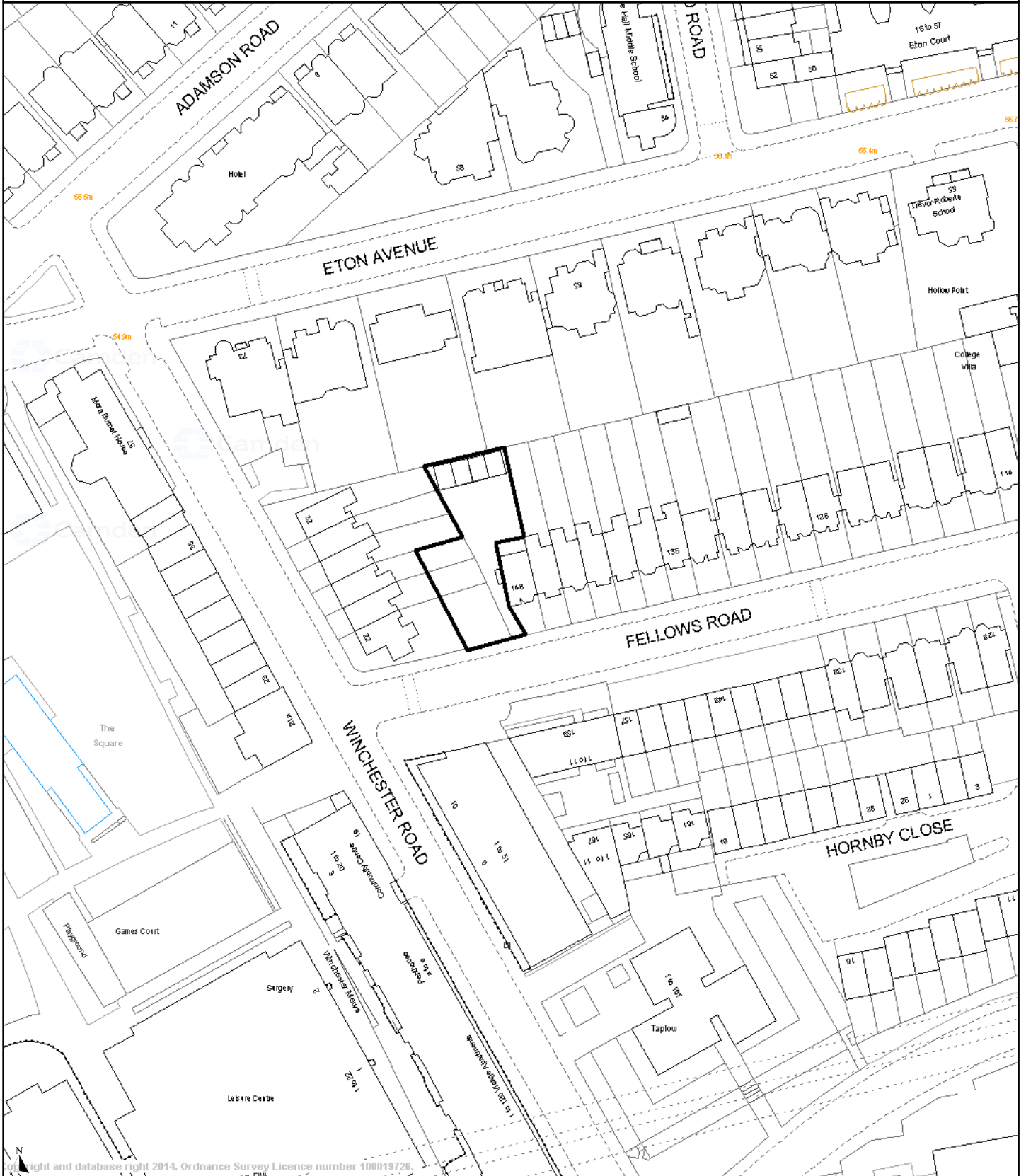


# Land adjoining 148 Fellows Rd



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Scale 1/1250 Date 22/7/2014

Centre = 526876 E 184327 N

<b>Delegated Report (Members' Briefing)</b>		<b>Expiry Date:</b>	<b>31/03/2014</b>	<b>Officer:</b>	<b>David Peres Da Costa</b>
<b>Application Address</b>		<b>Application Number(s)</b>	<b>1<sup>st</sup> Signature</b>	<b>2<sup>nd</sup> Signature</b>	
Land adjoining 148 Fellows Road London NW3 3JH		2013/8275/P			
<b>Proposal(s)</b>					
Erection of a single storey extension to the rear of house and alteration to front elevation as an amendment to planning permission granted 17/09/2007 (reference 2007/2202/P).					
<b>Recommendation(s):</b>		Grant planning permission subject to s106 legal agreement			
<b>Application Type:</b>		Full planning permission			
<b>Consultations</b>	<b>Date advertised</b>	<b>21 days elapsed</b>		<b>Date posted</b>	<b>21 days elapsed</b>
<b>Press notice</b>	13/2/14	6/3/14	<b>Site notice</b>	7/2/14	28/2/14
	<b>Date sent</b>	<b>21 days elapsed</b>	<b># Notified</b>	<b># Responses</b>	<b># Objections</b>
<b>Adjoining Occupier letters</b>	4/2/14	25/2/14	57		14
<b>Consultation responses (including CAACs):</b>	<p>14 objections were received including 9 from properties on Winchester Road, one from 148 Fellows Road, one from Eton Av, one from EC3N and Councillor Tom Simon. The concerns raised have been summarised below.</p> <ul style="list-style-type: none"> <li>Concerned that contractors have already built the flank wall of the scheme <i>Officer's comment: this matter is being investigated by the planning enforcement team (planning ref: EN14/0139)</i></li> <li>Description of development is inaccurate and misleading <i>Officer's comment: The description 'single storey rear extension' could be more precise and would have been better expressed as 'single storey extension to the side and rear of approved house'. However, 57 properties have been notified and the drawings were available on the Council's website. The drawings clearly show how the proposed development relates to the existing context.</i></li> <li>Excessive width of proposal would be out of character with the established pattern of development and the scale of neighbouring properties</li> <li>The building would occupy virtually the full extent of the site</li> <li>Reduction of the gap between houses</li> <li>Proposed extension would result in the loss of garden from above previously approved basement</li> </ul> <p><i>Officer's comment: The proposed development has been revised to omit the 9m wide side extension. Please refer to paragraph 1.2 and 2.2.</i></p>				

- Harm to the conservation area
- Modern structure incorporating a large area of glass will detract from character of the conservation area.

*Officer's comment: Please refer to paragraph 2.2-2.5 of the assessment below.*

- Loss of privacy to adjoining occupiers
- Light pollution and noise nuisance from proposed extension
- Loss of light
- Light pollution from alterations to front elevation

*Officer's comment: Please refer to paragraph 2.7 of the assessment below.*

- Rear pavilion poses a risk of noise nuisance and light pollution

*Officer's comment: The rear pavilion is not the subject of the planning application and was granted planning permission 17/09/2007. This consent is currently being implemented.*

- Reduction in value of property

*Officer's comment: Property value is not a relevant planning consideration.*

- The extension of 350sqm property is not necessary

*Officer's comment: The applicant is not required to justify the need for an extension.*

**Clr Tom Simon-** objection: This new application would undermine both the open nature of the space and its 'green-ness'. Furthermore the design and in particular the width of the building would be out of keeping with the terrace on Fellows Road ending at no.148, and with that on Winchester Road starting at no.22. I also have concerns about the potential for light and noise pollution from development having a negative impact on the amenity of those living at buildings that back on to the land.

*Officer's comment: The proposed development has been revised to omit the 9m wide side extension. Please refer to paragraph 1.2, 2.2 and 2.7 of the assessment below.*

**Belsize CAAC** – no comment

**Belsize Residents Association:** description is deliberately misleading; further enlargement of already large development unacceptable; proposed volume out of context with neighbours and existing pattern and footprint of buildings; loss of important gap; extension would be 10m from rear elevation of Winchester Road properties; contravenes policy CS14 and CS24 and does not preserve or enhance character of the conservation area.

*Officer's comment: See previous comment regarding description above. The proposed development has been revised to omit the 9m wide side extension. Please refer to paragraph 1.2, 2.2-2.5 of the assessment below.*

## Site Description

The subject site falls within the Belsize Conservation Area and the main building is identified in the Conservation Area Statement as making a positive contribution to the Conservation Area. Planning permission was granted 17/09/2007 (ref: 2007/2202/P) for a 2-storey building, plus basement (and replacement of existing garages) to provide an additional single dwellinghouse at the end of the existing terrace. This permission is currently being implemented and the proposed development is an amendment to this previously approved scheme.

The site forms the end-of-terrace of a group of imposing 5-storey buildings. It lies in a prominent exposed location, close to the junction between Fellows Road and Winchester Road and to its west is an open area, which aligns with the back gardens of houses further north along Winchester Road. It is understood that this area originally formed part of the back gardens of the adjacent houses on Winchester Road. The existing layout of the site maintains the established street pattern of long

gardens and leafy spaces between buildings. The open area contributes to the spacious, leafy character of the area around the site, and provides an important break in development in this corner location.

### **Relevant History**

**9500874:** Erection of a single storey 3 bedroom dwelling house. Refused 16/02/1996

**CE98003000:** Demolition of garage building. Granted 18/03/1999

**P9601595:** Erection of 5 new garages. Refused 12/07/1996

**PE9800078R1:** Erection of a single storey extension and a 4-storey extension at the rear, the erection of a 5-storey extension at the side, and conversion of the property to accommodate five self-contained flats and two self-contained maisonettes. Refused 18/03/1999

**PEX0100267:** Erection of a 2-storey side extension to the existing building to create a self-contained dwelling; the erection of a part 2-storey rear addition and the conversion of the rear garages to a gym, including the replacement of the flat roof with a pitch roof. Granted 8/11/2001 (The scheme was not implemented, and the permission expired 08/11/2006).

**PEX0200216:** side and rear extension to the existing building and alterations to the existing garage block to create a new residential unit. Refused 7/05/2002 Appeal allowed 14/05/2003

**PEX0200217:** Side extension to the existing building and alterations to the existing garage block to create a new residential unit. Refused 7/05/2002 Appeal dismissed 14/05/2003

**2006/2994/P:** Construction of a new part 1, part 2-storey plus basement extension adjacent to the existing building to provide a single dwellinghouse, rear 2-storey extension to provide additional accommodation to ground floor flat and associated car parking following demolition of existing garages. Refused 25/09/2006

**2006/3483/C:** Demolition of the garages. Refused 25/09/2006

**2007/2202/P:** Erection of a 2-storey side extension, plus extension at basement level and replacement of existing garages to provide an additional single dwellinghouse at the end of the existing terrace; and the erection of a 2-storey rear extension to expand the existing flats within the host building. Granted Subject to a Section 106 Legal Agreement 10/06/2008

**2007/2203/C:** Demolition of four garages at the rear of the site. Granted 17/09/2007

**2010/4487/P:** Renewal of planning permission reference 2007/2202/P (granted 10/06/2008) for the erection of a two storey side and two storey rear extension, basement excavation and replacement of garages to the rear with a gym and swimming pool. Refused 20/01/2011

**2010/4489/C:** Renewal of conservation area consent reference 2007/2203/C (dated 14/09/2007) for the demolition of four garages at the rear of the site. Granted 20/01/2011

**EN14/0139:** process of building a wall that is not present on the plans and this insulated wall is 5 metres to the west of what is sited on the plan. It is also two and a half times the floor area of what has been permitted on the plans Enforcement record created 30/01/2014

### **Relevant policies**

#### **LDF Core Strategy and Development Policies**

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)  
CS11 (Promoting sustainable and efficient travel)  
CS14 (Promoting High Quality Places and Conserving Our Heritage)  
DP18(Parking standards and limiting the availability of car parking)  
DP20 (Movement of goods and materials)  
DP21 (Development connecting to the highway)  
DP24 (Securing High Quality Design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the Impact of Development on Occupiers and Neighbours)

**Camden Planning Guidance**

**Belsize Conservation Area Statement**

**London Plan 2011**

**NPPF 2012**

## Assessment

### 1. Proposal:

- 1.1 Planning permission was previously granted for a 2-storey building, plus basement (and replacement of existing garages) to provide an additional single dwellinghouse at the end of the existing terrace. An amendment is now proposed to the development previously granted.
- 1.2 The current application originally included a side extension, however, following officer's concerns the proposal has been substantially revised with the side extension omitted. Instead, a single storey extension to the rear of the previously approved 2 storey building is proposed. This would project 2m from the rear elevation of approved building and would be the same width (approximately 5.3m) as the approved building. The extension would be 3.1m high and would have a flat roof with parapet. The rear elevation of the approved building would be amended at 1<sup>st</sup> floor level with 3 panels of glazing and a wide brick surround.
- 1.3 Alterations are proposed to the front elevation of the previously approved 2 storey extension. This would involve removing the bay feature and incorporating a large area of glazing with a brick surround.

### 2. Assessment:

#### 2.1 Design:

- 2.2 The revised development is at the rear of the previously approved 2 storey building and so would not project into the gap between the approved 2 storey building (adjacent to 148 Fellows Road) and the rear of the terrace on Winchester Road. Whilst there would be basement accommodation beneath the gap (approved by the previous permission), above ground, the significant gap would be retained. Hence the spacious and green character of the area around the site would be maintained.
- 2.3 The single storey rear extension matches the width of the approved building. It would only project 2m from the rear elevation of the approved building. The size of the extension is considered modest and would appear subservient to the host property. The extension would involve the loss of 10.6sqm of garden and would still allow the vast majority of the site to be maintained as garden (386sqm garden). The proposed rear elevation would echo the appearance of the front elevation with 3 panels of glazing and a wide brick surround. The proposed rear extension would have glazing in line with the 1<sup>st</sup> floor windows. The contemporary design of the rear elevation is in accordance with the previously approved scheme. The application proposes to amend the detailed design of the rear elevation. The brick surround would be widened and the area of glazing would be reduced. This is welcomed as it would provide a more sympathetic and harmonious composition.
- 2.4 The development also involves alterations to the front elevation of the previously approved scheme. The approved square bay would be replaced by a flat front elevation. The front elevation would have a glazed curtain wall with a solid 1m surround. The original scheme was contemporary in idiom and the revised front elevation is consistent with that approach. The contemporary design will read as a new dwelling at the end of the terrace. The use of brick is consistent with the existing terrace and will allow the front elevation to knit in with the existing context. The ratio of solid to void is considered acceptable. The glazing would be recessed with a 0.2m reveal. This would give depth and add visual interest to the front elevation. As with the approved scheme, the amended front elevation would be significantly set back (2.9m) from the

front elevation of 148 Fellows Road.

2.5 The proposed extension and alteration to the front elevation would preserve the character and appearance of the conservation area.

#### 2.6 Amenity

2.7 The proposed extension would project 2m beyond the 2-storey rear extension to 148 Fellows Road (which was approved as part of the previous application ref: 2007/2202/P). The shallow depth of the extension is such that it would not harm the amenity of occupiers of the neighbouring property 148 Fellows Road. Reduction in daylight or sunlight would not be significant. The single storey extension would not have an overbearing appearance. The windows of the single storey extension would face towards the rear garden of the host property and so there would be no loss of privacy or harmful overlooking to neighbouring properties. Internal illumination from the glazed front and rear elevation of the extension at night would not be so significant as to harm neighbouring amenity.

#### 2.8 Legal agreement

2.9 The previous permission (for the erection of a 2-storey side extension, plus extension at basement level and replacement of existing garages to provide an additional single dwellinghouse at the end of the existing terrace; and the erection of a 2-storey rear extension to expand the existing flats within the host building ref: 2007/2202/P) was granted subject to a Section 106 Legal Agreement. The legal agreement secured a construction management plan, the submission of highways drawings and the nomination of a residential unit to be car free. Paragraph 2.7 of the legal agreement defines the development by listing the drawing numbers. As the current application seeks to amend these drawings it will be necessary to seek a legal agreement to ensure all the relevant previous obligations (CMP, highways drawings and car free) are carried forward.

**Recommendation:** Grant planning permission

#### **DISCLAIMER**

**Decision route to be decided by nominated members on 28<sup>th</sup> July 2014. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**

Cook Associates  
1 Limes Place  
Preston Street  
Faversham  
Kent  
ME13 8PQApplication Ref: **2013/8275/P**

24 July 2014

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**Land adjoining 148 Fellows Road  
London  
NW3 3JH**

Proposal:

Erection of a single storey extension to the rear of house and alteration to front elevation as an amendment to planning permission granted 17/09/2007 (reference 2007/2202/P).

Drawing Nos: Site location plan; 1148(PLA\_PRO)100; 1148(PRO\_LAY)101; 1148(PLA\_PRO)102; 1148(PLA\_PRO)200; 1148(PLA\_PRO)201; 1148(PLA\_PRO)202; 1148(PLA\_PRO)203, 205; 1148(PLA\_PRO)204, 206;. 222 P2; 121 P1; 123 P1; 124 P1; 126 P1; 115 P1.

**DECISION**  
The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):



- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 1148(PLA\_PRO)100; 1148(PRO\_LAY)101; 1148(PLA\_PRO)102; 1148(PLA\_PRO)200; 1148(PLA\_PRO)201; 1148(PLA\_PRO)202; 1148(PLA\_PRO)203, 205; 1148(PLA\_PRO)204, 206;. 222 P2; 121 P1; 123 P1; 124 P1; 126 P1; 115 P1.

Reason:

For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of

Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

**DRAFT**

**DECISION**

**Site photos – land adjoining 148 Fellows Road**



View towards land adjoining 148 Fellows Road



View towards land adjoining 148 Fellows Road



View towards rear and side elevation of 148 Fellows Road



Aerial photo of site cleared prior to construction